

RDB-05 CV 2411

JS 44
(Rev. 3/50)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Timothy Sarvis
9904 Berliner Place, Apt. B
Middle River, Maryland 21220

DEFENDANTS

Metabolife International
5643 Capistrano Dr.
San Diego, CA 92111

Alpine Health Products, LLC
1525 N. Business Park Dr.
Orem, Utah 84058

The Chemins Co., Inc.
1735 E. Cheyenne Rd.
Colorado Springs, Co. 80906

Rite Aid Corp.
30 Hunter Lane
Camp Hill, PA. 17011

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF
(EXCEPT IN U.S. PLAINTIFF CASES)

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONSERVATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) ATTORNEYS (GIVE NAME, ADDRESS, AND TELEPHONE NUMBER)

Dennis F. O'Brien, Esq.
29 N. Shogomana Ave.
Suite 302
Rockville, Maryland 21204

Kevin D. Wise, Esq.
2 North Charles St.
Suite 330
Baltimore, Maryland 21201

ATTORNEYS (IF ANY)

The Chemins Co. - Kristina A. Crosswhite
6115 Falls Rd., U-B, Baltimore MD. 21209
410 377-4311

II. BASIS OF JURISDICTION

(PLACE AN "X" IN ONE BOX ONLY) III. CITIZENSHIP OF PRINCIPAL PARTIES (For Diversity Cases Only) (PLACE AN "X" IN ONE BOX PER PLAINTIFF AND ONE BOX PER DEFENDANT)

- ☐ U.S. Government Plaintiff
☐ U.S. Government Defendant
☐ Federal Question (U.S. Government Not a Party)
☒ Diversity (Indicate Citizenship of Parties in Item III)

- Citizen of This State ☐ DEF ☒ DEF
Incorporated or Principal Place of Business in This State ☐ PTF ☒ DEF
Citizen of Another State ☐ DEF ☒ DEF
Incorporated and Principal Place of Business in Another State ☐ PTF ☒ DEF
Citizen or Subject of a Foreign Country ☐ DEF ☒ DEF
Foreign Nation ☐ PTF ☒ DEF

IV. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Bailment <input type="checkbox"/> 130 Other Ad <input type="checkbox"/> 140 Negligence <input type="checkbox"/> 150 Recovery of Compensation & Enforcement of Judgment <input type="checkbox"/> 160 Maritime Act <input type="checkbox"/> 170 Recovery of Damages (Other Tort) <input type="checkbox"/> 180 Recovery of Compensation of Workers' Republic <input type="checkbox"/> 190 Statutory Right <input type="checkbox"/> 200 Other Contract <input type="checkbox"/> 210 Contract (Other Liability)	<input type="checkbox"/> 220 Personal Injury <input type="checkbox"/> 230 Personal Injury <input type="checkbox"/> 240 Personal Injury <input type="checkbox"/> 250 Personal Injury <input type="checkbox"/> 260 Personal Injury <input type="checkbox"/> 270 Personal Injury <input type="checkbox"/> 280 Personal Injury <input type="checkbox"/> 290 Personal Injury <input type="checkbox"/> 300 Personal Injury <input type="checkbox"/> 310 Personal Injury <input type="checkbox"/> 320 Personal Injury <input type="checkbox"/> 330 Personal Injury <input type="checkbox"/> 340 Personal Injury <input type="checkbox"/> 350 Personal Injury <input type="checkbox"/> 360 Personal Injury <input type="checkbox"/> 370 Personal Injury <input type="checkbox"/> 380 Personal Injury <input type="checkbox"/> 390 Personal Injury <input type="checkbox"/> 400 Personal Injury	<input type="checkbox"/> 410 Statutory <input type="checkbox"/> 420 Statutory <input type="checkbox"/> 430 Statutory <input type="checkbox"/> 440 Statutory <input type="checkbox"/> 450 Statutory <input type="checkbox"/> 460 Statutory <input type="checkbox"/> 470 Statutory <input type="checkbox"/> 480 Statutory <input type="checkbox"/> 490 Statutory <input type="checkbox"/> 500 Statutory	<input type="checkbox"/> 510 Bankruptcy <input type="checkbox"/> 520 Bankruptcy <input type="checkbox"/> 530 Bankruptcy <input type="checkbox"/> 540 Bankruptcy <input type="checkbox"/> 550 Bankruptcy <input type="checkbox"/> 560 Bankruptcy <input type="checkbox"/> 570 Bankruptcy <input type="checkbox"/> 580 Bankruptcy <input type="checkbox"/> 590 Bankruptcy <input type="checkbox"/> 600 Bankruptcy	<input type="checkbox"/> 610 Statutory <input type="checkbox"/> 620 Statutory <input type="checkbox"/> 630 Statutory <input type="checkbox"/> 640 Statutory <input type="checkbox"/> 650 Statutory <input type="checkbox"/> 660 Statutory <input type="checkbox"/> 670 Statutory <input type="checkbox"/> 680 Statutory <input type="checkbox"/> 690 Statutory <input type="checkbox"/> 700 Statutory
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	LABOR	SOCIAL SECURITY
<input type="checkbox"/> 710 Land (Other than Real Estate) <input type="checkbox"/> 720 Real Estate <input type="checkbox"/> 730 Real Estate <input type="checkbox"/> 740 Real Estate <input type="checkbox"/> 750 Real Estate <input type="checkbox"/> 760 Real Estate <input type="checkbox"/> 770 Real Estate <input type="checkbox"/> 780 Real Estate <input type="checkbox"/> 790 Real Estate <input type="checkbox"/> 800 Real Estate	<input type="checkbox"/> 810 Voting <input type="checkbox"/> 820 Employment <input type="checkbox"/> 830 Housing <input type="checkbox"/> 840 Voting <input type="checkbox"/> 850 Other Civil Rights	<input type="checkbox"/> 860 Prisoner <input type="checkbox"/> 870 Prisoner <input type="checkbox"/> 880 Prisoner <input type="checkbox"/> 890 Prisoner <input type="checkbox"/> 900 Prisoner	<input type="checkbox"/> 910 Labor <input type="checkbox"/> 920 Labor <input type="checkbox"/> 930 Labor <input type="checkbox"/> 940 Labor <input type="checkbox"/> 950 Labor <input type="checkbox"/> 960 Labor <input type="checkbox"/> 970 Labor <input type="checkbox"/> 980 Labor <input type="checkbox"/> 990 Labor	<input type="checkbox"/> 1000 Social Security <input type="checkbox"/> 1010 Social Security <input type="checkbox"/> 1020 Social Security <input type="checkbox"/> 1030 Social Security <input type="checkbox"/> 1040 Social Security <input type="checkbox"/> 1050 Social Security <input type="checkbox"/> 1060 Social Security <input type="checkbox"/> 1070 Social Security <input type="checkbox"/> 1080 Social Security <input type="checkbox"/> 1090 Social Security
FEDERAL TAX SUITS	OTHER STATUTES	LABOR	SOCIAL SECURITY	FEDERAL TAX SUITS
<input type="checkbox"/> 1100 Federal Tax Suits <input type="checkbox"/> 1110 Federal Tax Suits <input type="checkbox"/> 1120 Federal Tax Suits <input type="checkbox"/> 1130 Federal Tax Suits <input type="checkbox"/> 1140 Federal Tax Suits <input type="checkbox"/> 1150 Federal Tax Suits <input type="checkbox"/> 1160 Federal Tax Suits <input type="checkbox"/> 1170 Federal Tax Suits <input type="checkbox"/> 1180 Federal Tax Suits <input type="checkbox"/> 1190 Federal Tax Suits	<input type="checkbox"/> 1200 Other Statutes <input type="checkbox"/> 1210 Other Statutes <input type="checkbox"/> 1220 Other Statutes <input type="checkbox"/> 1230 Other Statutes <input type="checkbox"/> 1240 Other Statutes <input type="checkbox"/> 1250 Other Statutes <input type="checkbox"/> 1260 Other Statutes <input type="checkbox"/> 1270 Other Statutes <input type="checkbox"/> 1280 Other Statutes <input type="checkbox"/> 1290 Other Statutes	<input type="checkbox"/> 1300 Labor <input type="checkbox"/> 1310 Labor <input type="checkbox"/> 1320 Labor <input type="checkbox"/> 1330 Labor <input type="checkbox"/> 1340 Labor <input type="checkbox"/> 1350 Labor <input type="checkbox"/> 1360 Labor <input type="checkbox"/> 1370 Labor <input type="checkbox"/> 1380 Labor <input type="checkbox"/> 1390 Labor	<input type="checkbox"/> 1400 Social Security <input type="checkbox"/> 1410 Social Security <input type="checkbox"/> 1420 Social Security <input type="checkbox"/> 1430 Social Security <input type="checkbox"/> 1440 Social Security <input type="checkbox"/> 1450 Social Security <input type="checkbox"/> 1460 Social Security <input type="checkbox"/> 1470 Social Security <input type="checkbox"/> 1480 Social Security <input type="checkbox"/> 1490 Social Security	<input type="checkbox"/> 1500 Federal Tax Suits <input type="checkbox"/> 1510 Federal Tax Suits <input type="checkbox"/> 1520 Federal Tax Suits <input type="checkbox"/> 1530 Federal Tax Suits <input type="checkbox"/> 1540 Federal Tax Suits <input type="checkbox"/> 1550 Federal Tax Suits <input type="checkbox"/> 1560 Federal Tax Suits <input type="checkbox"/> 1570 Federal Tax Suits <input type="checkbox"/> 1580 Federal Tax Suits <input type="checkbox"/> 1590 Federal Tax Suits

V. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- ☐ Original Proceedings ☒ Removed from State Court ☐ Remanded from Appellate Court ☐ Reinstated or Reopened ☐ Transferred from another district (specify) ☐ Mandamus Litigation ☐ Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILED AND MAKE BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS NECESSARY)

28 USC §1332

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$ 2,000,000.00

CHECK YES only if demanded in complaint JURY DEMAND: ☒ YES ☐ NO

VIII. RELATED CASE(S) (See instructions) IF ANY

JUDGE

DOCKET NUMBER

DATE 9-1-05 SIGNATURE OF PLAINTIFF OR DEFENDANT Kristina A. Crosswhite

ADDRESS AMOUNT APPLICABLE BY JUDGE MAG. JUDGE